



Order Filed on July 22, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c)	
ROMANO GARUBO & ARGENTIERI Emmanuel J. Argentieri, Esquire 52 Newton Avenue, P.O. Box 456 Woodbury, New Jersey 08096 (856) 384-1515 Attorney for Secured Creditor, U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust	
FOUR THE BOYS II, LLC <i>fka</i> FOUR THE BOYS, LLC xx-xxx5633 Debtor.	

Case No.: 19-19708
Chapter: 11
Judge: CMG

ORDER RESOLVING U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY SUBMITTED UNDER THE CONSENT OF THE PARTIES

The relief set forth on the following pages numbered two (2) through four (4) are hereby **ORDERED**.

DATED: July 22, 2019


Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Four The Boys II, LLC fka Four The Boys, LLC

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Upon consideration of ("Movant") U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust's motion for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain real property as hereinafter set forth; and the Debtor having filed opposition thereto; and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

ORDERED as follows:

1. Movant confirms that Debtor has tendered the June and July 2019 adequate protection payments, each in the amount of \$5,968.34.
2. Pending confirmation, commencing with August 1, 2019 and continuing each month thereafter, Debtor shall tender to Movant's Servicer Fay \$5,968.34 in adequate protection payments. Said payments are due on the first of each month with a 15 (fifteen) day grace period after which Debtor shall be in default hereunder. The subject mortgage account is an adjustable rate mortgage account. Accordingly, Debtor's monthly adequate protection payment will adjust in accordance with the terms and conditions of the loan documents and Debtor shall make its adequate protection payment in an amount as it may then exist.
3. On or before the close of business for July 31, 2019, Debtor shall reimburse Movant, via its servicer Fay, the sum of \$1,331.00 for attorney's fees and costs incurred by Movant in the prosecution of its motion for relief. Payment shall be tendered to Fay at the following address:

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Fay Servicing, LLC
PO Box 814609
Dallas, TX 75381
mailing address

Fay Servicing, LLC
1601 LBJ Freeway, Suite 150
Farmers Branch, TX 75234
overnight/priority mail address

4. The Debtor shall file a proposed chapter 11 plan and disclosure Statement with the Court on or before the close of business for August 11, 2019. However, nothing contained in this paragraph shall waive the Debtor's right to file a Motion to Extend the Exclusivity Period for cause as defined by 11 *U.S.C.* 362(d)(3).

5. Debtor shall be responsible for maintaining all real estate taxes accruing against the property as same come due and providing to US Bank proof of such payments c/o its mortgage servicing agent Fay Servicing, LLC ("Fay") within (10) ten days after such taxes become due. Said proof shall be mailed to Movant's counsel and Fay.

6. Debtor shall be responsible for maintaining adequate hazard and, if applicable, flood insurance ("insurance") for the property which names US Bank as an additional insured and/or loss payee and provide to US Bank's mortgage servicing agent Fay and its counsel proof of renewed insurance at least (15) fifteen days before such coverage is set to lapse.

7. If the Debtor fails to comply with paragraphs 2, 3, 4, 5, and/or 6 above, then upon the filing of a certification of non-receipt of said payment or failure by the Debtor to provide

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proof of adequate insurance and/or payment of real estate taxes and/or Debtor fails to file a Chapter 11 Plan and Disclosure Statement in accordance herewith submitted by secured creditor's counsel, and to which no response is received during the objection period provided by the Court with reference to such certification of default, the Court shall in that event, enter an Order vacating the automatic stay of 11 U.S.C. 362(a) with respect to secured creditor's enforcement of its State Law Foreclosure action against the realty commonly known as 356 Bay Lane, Mantoloking Shores, New Jersey 08738. The order submitted to the Court will not require the consent of the Debtor or the Debtor's counsel regarding form or substance, however the U.S. Trustee, Debtor and her counsel shall be given notice of any filing of a certification of non-receipt in accordance with Rule 9072-1 of the Local Rules of Bankruptcy Procedure.

8. The parties reserve all claims and defenses as to the confirmability of Debtor's pending plan. No positions are waived by this resolution

9. Movant shall continue to adjourn its pending Sheriff's Sale from time to time as long as the Automatic Stay is still in place with respect to the Debtor's realty.

10. Movant shall serve a copy of the executed order on all interested parties who have not yet been served electronically by the Court.